

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROBERT A WEAN.

Plaintiff,

CASE NO. C19-1630 MJP

## MINUTE ORDER

US BANK NATIONAL  
ASSOCIATION et al.,

## Defendants.

The following minute order is made by the direction of the court, the Honorable Marsha

J. Pechman, United States District Judge:

The Court has received the Letter from Plaintiff re Bankruptcy Filing (Dkt. No. 32), notifying the Court that Plaintiff Robert A. Wean filed a *pro se* bankruptcy on November 22, 2019 (Case No. 19-14269-TWD), and stating that “[a]t this time, all actions in this matter must [be] stayed pending further actions in the bankruptcy case . . . .” (*Id.*) Because an automatic stay generally does not prevent a debtor or trustee from continuing to prosecute a prepetition lawsuit, nor prevent a defendant from defending itself in such a lawsuit, Eisinger v. Way (In re Way), 229

1 B.R. 11, 13-14 (9th Cir. BAP 1998), the Court requests briefing on the issue of why the  
2 Plaintiff's case must be stayed here and whether the applicability of the stay to this matter is for  
3 this Court—as opposed to the bankruptcy court—to determine. All such briefing shall be  
4 submitted within 10 days of the date of this Order.

5  
6 The clerk is ordered to provide copies of this order to all counsel.

7 Filed December 19, 2019.

8 William M. McCool  
9 Clerk of Court

10 s/Rhonda Miller  
11 Deputy Clerk